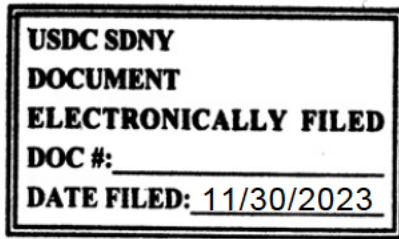


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November 29, 2023

Hon. Robert W. Lehrburger,  
U.S. District Court for the Southern District of New York  
500 Pearl Street, Room 1960  
New York, NY 10007

Re: *Lockinger v. International Business Machines Corporation*,  
No. 1:22-cv-09888

Dear Judge Lehrburger,

Granted. The settlement  
conference will be  
adjourned to a later date.

SO ORDERED:

11/30/2023

HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Defendant writes jointly with Plaintiff in the above-captioned action to respectfully request that the Court adjourn the settlement conference currently scheduled for December 7, 2023, until February 2024, on a date convenient to the Court. This is the parties' first request for an adjournment of the settlement conference.

The parties request the adjournment to make the conference more productive. As anticipated and discussed with the Court on the October 18 pre-settlement conference call, the parties requested an extension of time to complete discovery and amend the case management plan on November 20, 2023, which was granted by Judge Rochon that same day. (Doc. 40–41). Fact discovery is now scheduled to be completed on January 31, 2024, and the pre-trial conference before Judge Rochon is scheduled for February 8, 2024.

Because the parties are still in the process of exchanging documents and conducting depositions, we believe a settlement conference would be premature at this time, and respectfully ask that the Court reschedule the settlement conference for a date convenient for the Court occurring after the close of fact discovery.

Respectfully Submitted,

s/ Erika D. Cagney

Erika D. Cagney  
Counsel for Defendant

s/ Brian Heller

Brian Heller  
Counsel for Plaintiff